

THE HONORABLE FRANKLIN BURGESS

Karl Williams, WSBA # 16919
Thaddeus P. Martin, WSBA # 28175
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DIANN LAUREL HIEBERT, CLYDE MARK
MATTHEWS JR., individually and on behalf of
all persons similarly situated,

Plaintiffs,

vs.

WALMART STORES INCORPORATED, A
Delaware Corporation Licensed to do Business
in Washington State, KEVIN DIXON,
Individually, and CINDY DEER, Individually,

Defendants.

NO.06-05489 FDB

STIPULATION AND AGREED ORDER
FOR DISMISSAL OF DEFENDANTS
KEVIN DIXON AND CINDY DEER
WITHOUT PREJUDICE

COME NOW Plaintiffs, by and thought their attorneys of record, Thaddeus P. Martin
and Karl William and Defendants by and through its attorney of record, Kathryn Rosen, and
stipulate as follows:

STIP/ORDER TO DISMISS DIXON/DEER WITHOUT PREJUD.- 1 of 3

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1 1. The parties agree that Defendants Kevin Dixon and Cindy Deer and the claims
2 for Intentional Infliction of Emotional Distress, Negligent Infliction of Emotional Distress,
3 Outrage, and Fraud be dismissed without prejudice.

4
5 Dated this 8th day of November, 2006.

Dated this 8th day of November, 2006.

6 THADDEUS P. MARTIN, LLC

DAVIS WRIGHT TREMANE

7 By /s/ THADDEUS P. MARTIN

By /s/ KATHRYN ROSEN

8 Thaddeus P. Martin, WSBA No. 28175

Kathryn Rosen, WSBA #29465

9 Karl Williams, WSBA No. 16919

Attorneys for Defendants

Attorney for Plaintiffs

10 **ORDER**

11 This matter having come before the Court, the court having reviewed the files relevant
12 to this motion and for good cause shown, it is hereby ORDERED that Defendants Kevin
13 Dixon and Cindy Deer and the claims for Intentional Infliction of Emotional Distress,
14 Negligent Infliction of Emotional Distress, Outrage, and Fraud are hereby dismissed without
15 prejudice.
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17 DATED this 9th day of November 2006.

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22 **FRANKLIN D. BURGESS**
23 **UNITED STATES DISTRICT JUDGE**

24 STIP/ORDER TO DISMISS DIXON/DEER WITHOUT PREJUD.- 2 of 3

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1 THADDEUS P. MARTIN, LLC

2
3 By /s/ THADDEUS P. MARTIN

Thaddeus P. Martin, WSBA No. 28175

4 Karl Williams, WSBA No. 29465

Attorney for Plaintiffs

5
6 DAVIS WRIGHT TREMAINE

7
8 By /s/ KATHRYN ROSEN

Kathryn Rosen, WSBA No. 29465

9 Attorneys for Defendants

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24 STIP/ORDER TO DISMISS DIXON/DEER WITHOUT PREJUD.- 3 of 3

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